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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/033,532 | 10/16/2001 | Wing P. Leung | GS/080 CONT. | 7831 |
| <div>7590 05/03/2007</div> <div>Alexander Shvarts Fish & Neave 1251 Avenue of the Americas New York, NY 10020-1105</div> <div>EXAMINER SHANG, ANNAN Q</div> <div>ART UNIT PAPER NUMBER</div> <div>2623</div> <div>MAIL DATE DELIVERY MODE</div> <div>05/03/2007 PAPER</div> | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------------|------------------------------|--|
| Office Action Summary | Application No. 10/033,532 | Applicant(s) LEUNG ET AL. | |
| | Examiner Annan Q. Shang | Art Unit 2623 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 10-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 10-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/09/07 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 10, 15, 16, 18-25, 29, 30, 33-35 and 38-39 are rejected under 35 U.S.C. 102(e) as being anticipated by **Knee et al (5,589,892)**.

As to claim 1, note the **Knee** reference figs. 39+, discloses EPG schedule system and method with data feed access and further discloses a method and apparatus of exercising access control using a parental control user interface having different

functions that are available to a user in a master mode of operation (figs.7 and 39+), the method comprising the steps of:

A television display (fig.1, TV 27);

A tuner (Tuner 28) for receiving a plurality of television programs and passing one of the television programs; A memory (448) for storing a blocking override list comprising information relating to at least one television program and an enable override list comprising information relating to at least one television program (col.5, line 36-col.6, line 17);

A user via Remote Controller (RC) 31 or Main Control Unit, inputs a password for a master mode to obtain access to functions of the parental control user interface (col.23, lines 3-36);

Entering a first, second, third, criterion for blocking a television program from being viewed or recorded or overriding a blocked television program being viewed or recorded and a criterion for overriding a blocked television program to be viewed or recorded; Selecting a plurality of programs for viewing or recording (figs.39-40E, col.23, line 38-col.24, line 35 and col.27, lines 21-42);

Prompting the user not in the master mode to enter the password if the selected plurality of programs meet the blocking criterion and do not meet the overriding criterion; and unblocking the selected plurality of programs that meet the blocking criterion and do not meet the overriding criterion so they can be viewed or recorded, if the user enters the password responsive to the prompt (figs.39-40E, col.23, line 3-36, line 54-col.24, line 35, line 36-col.25, line 10 and col.27, lines 21-42).

As to claim 10, Knee further discloses where the password, is established by a first-time user (col.23, lines 3-36 and col.24, lines 48-58).

As to claims 15-16, Knee further discloses where the blocking and overriding criteria are entered in a normal TV picture viewing mode, by tuning to a TV program and activating an on-screen menu and where the blocking and overriding criteria are entered in a guide mode using an on-screen menu activated from a program schedule guide (col.23, lines 3-36, col.24, line 48-col.25, line 11 and col.27, lines 21-43).

Claims 18-19 are met as previously discussed with respect to claims 15-16.

As to claim 20, Knee further teaches inputting a parental control level extracting a parental control rating from the TV signal carrying the selected program, comparing the rating with the parental control level and blocking the selected program if its rating falls below the parental control level (col.22, line 25-col.24, line 1+).

As to claims 21-23, Brian further discloses where one of the criteria is blocking or overriding a blocked TV channel or TV program, where the blocking or overridden TV channel or program is marked in a parental control review list and where the entering the criteria comprises editing the parental control review list with respect to channel, date, time and length (col.23, lines 3-36, col.24, line 48-col.25, line 11 and col.27, lines 21-43).

Claim 24 is met as previously discussed with respect to claims 15-16.

Claim 25 is met as previously discussed with respect to claims 1.

As to claims 29-30, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 33, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claims 34-35, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 38, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

As to claim 39, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Knee et al (5,589,892)**

As to claim 17, Knee further discloses selecting a set of TV programs to be watched or recorded for various users (children and parent) and permitting only the selected set to be watch without inputting the password to the exclusion of all other programs being telecast (figs.39-40E, col.23, line 3-36, line 54-col.24, line 35, line 36-col.25, line 10 and col.27, lines 21-42).

Although Knee fails to explicitly teach selecting a set of TV programs to be watched or recorded in a babysitting mode, it would have been obvious to one of ordinary skill in the art to modify the teaching of Knee to included setting other TV programs for other users in the household, including babysitters.

6. Claims 11-13, 26-28, 31-32 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Knee et al (5,589,892)** as applied to claim 1 above, and further in view of **West et al (5,550,575)**.

As to claims 11-12, Knee fails to explicitly teach where the password can be changed by a user when in the master mode and where the password can be changed by repeatedly entering an incorrect password for a predetermined number of times and confirming the repeatedly entered password at the end of the entering step.

However, note the West reference figs 4-5, discloses a viewer discretion TV program control system and further teaches creating new password for the user if the primary password is forgotten (col.12, line 15-col.13, line 1+).

Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate the teaching of West into the system of Knee to assist a user to change their password if a primary user forgets their password in order to allow the parent or the primary user to still have the ability to reset the parental control device even if the parent or primary user forgets their password.

As to claim 13, Knee fails to explicitly teach where the master mode of operation remains in effect until a TV configured to display the TV program is turn off, the user exits the master mode or a time delay expires.

However, West further discloses where the master mode of operation remains in effect until a TV configured to display the TV program is turn off, the user exits the master mode or a time delay expires (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claim 26, Knee fails to explicitly teach restoring the criterion after the user is no longer in the master mode.

However, West further discloses restoring the criterion after the user is no longer in the master mode (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claims 27-28, the claimed "An apparatus for parental control of television..." is composed of the same structural elements that were discussed with respect to the rejection of claim 1.

Knee fails to explicitly teach restoring the criterion after the user is no longer in the master mode and where the master mode of operation remains in effect until the TV is turn off, the user exits the master mode or a time delay expires.

However, West further discloses restoring the criterion after the user is no longer in the master mode and where the master mode remains in operation until the parent exits the mode or the program time expires (col.7, lines 29-40, col.11, line 36-45 and col.14, lines 17-65).

Therefore it would have been obvious to one of ordinary skill in the art to incorporate the teaching of West into the system of Knee to enable the system to reprogrammed itself to the original settings after the parent overrides the parental control settings thereby prevent the child from watching the overridden program or ratings.

As to claims 31-32, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claims 27-28.

As to claims 36-37, the claimed "A method of exercising access control over a television using a parental control user interface..." is composed of the same structural elements that were discussed with respect to the rejection of claims 27-28.

Response to Arguments

7. Applicant's arguments with respect to claims 1 and 10-39 have been considered but are moot in view of the new ground(s) of rejection. The amendment to the independent claim and the new claims necessitated the new ground(s) of rejection discussed above. **This Office Action is non-Final.**

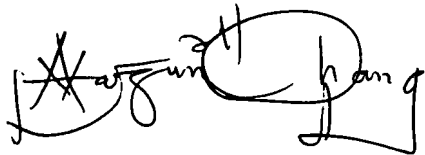
Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q. Shang** whose telephone number is **571-272-7355**. The examiner can normally be reached on **700am-400pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Christopher S. Kelley** can be reached on **571-272-7331**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the **Electronic Business Center (EBC) at 866-217-9197 (toll-free)**. If you would like assistance from a **USPTO Customer Service Representative** or access to the automated information system, call **800-786-9199 (IN USA OR CANADA) or 571-272-1000**.

A handwritten signature in black ink, appearing to read 'Annan Q. Shang'. The signature is stylized with a large 'A' and a prominent 'S'.

Annan Q. Shang